

Exhibit A

SUMMONS

Attorney(s) WILENTZ, GOLDMAN & SPITZER, P.A.
Office Address 90 WOODBRIDGE CENTER DRIVE
Town, State, Zip Code SUITE 900 BOX 10.
WOODBIDGE, NJ 07095

Telephone Number 732-855-6038

Attorney(s) for Plaintiff _____

KIM VAN NOTE and EUGENE

VAN NOTE, her husband,
Plaintiff(s)

vs.

HARVIA US INC, et al.

Defendant(s)

**Superior Court of
New Jersey**

Somerset  County

Law _____ Division

Docket No: SOM-L-676-21

**CIVIL ACTION
SUMMONS**

From The State of New Jersey To The Defendant(s) Named Above:

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at http://www.njcourts.gov/forms/10153_deptyclerklawref.pdf.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$175.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at http://www.njcourts.gov/forms/10153_deptyclerklawref.pdf.

/S/ MICHELLE M. SMITH

Clerk of the Superior Court

DATED: 05/26/2021

Name of Defendant to Be Served: COSTCO WHOLESALE CORPORATION - C T Corporation System

Address of Defendant to Be Served: 820 Bear Tavern Road, West Trenton, NJ 08628

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SOMERSET COUNTY SUPERIOR COURT
40 NORTH BRIDGE STREET
1ST FLR PO BOX 3000
SOMERVILLE NJ 08876-1262

TRACK ASSIGNMENT NOTICE

COURT TELEPHONE NO. (908) 332-7700
COURT HOURS 8:30 AM - 4:30 PM

DATE: MAY 12, 2021
RE: VAN NOTE KIM VS HARVIA US INC.
DOCKET: SOM L -000676 21

THE ABOVE CASE HAS BEEN ASSIGNED TO: TRACK 3.

DISCOVERY IS 450 DAYS AND RUNS FROM THE FIRST ANSWER OR 90 DAYS
FROM SERVICE ON THE FIRST DEFENDANT, WHICHEVER COMES FIRST.

THE PRETRIAL JUDGE ASSIGNED IS: HON KEVIN M. SHANAHAN

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 001
AT: (908) 332-7700.

IF YOU BELIEVE THAT THE TRACK IS INAPPROPRIATE YOU MUST FILE A
CERTIFICATION OF GOOD CAUSE WITHIN 30 DAYS OF THE FILING OF YOUR PLEADING.
PLAINTIFF MUST SERVE COPIES OF THIS FORM ON ALL OTHER PARTIES IN ACCORDANCE
WITH R.4:5A-2.

ATTENTION:

ATT: ALEX LYUBARSKY
WILENTZ GOLDMAN & SPITZER
90 WOODBRIDGE CENTER DR STE 900
PO BOX 10
WOODBIDGE NJ 07095-0958

ECOURTS

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WILENTZ, GOLDMAN & SPITZER, P.A.
Alex Lyubarsky, Esq. (NJ 022412001 – 11/2001)
Attorneys at Law
90 Woodbridge Center Drive
Post Office Box 10
Woodbridge, New Jersey 07095
(732) 636-8000
Attorneys for Plaintiffs

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION – SOMERSET COUNTY
DOCKET NO. SOM-L-676-21

-----X
KIM VAN NOTE and EUGENE VAN
NOTE, her husband,

Plaintiff,

V.

HARVIA US INC., ALMOST HEAVEN
SAUNAS LLC, AHS LLC, COSTCO
WHOLESALE CORPORATION,
JOHN DOES 1-20 (fictitious names),
ABC CORP. 1-20 (fictitious names),

Defendants.

Civil Action

COMPLAINT, JURY
DEMAND, DESIGNATION
OF TRIAL COUNSEL AND
CERTIFICATION, DEMAND
FOR FORM C AND FORM
C(4) INTERROGATORIES,
PLAINTIFF'S FIRST
NOTICE TO PRODUCE, and
DEMAND FOR DISCOVERY
OF INSURANCE
INFORMATION

-----X
Plaintiffs, KIM VAN NOTE and EUGENE VAN NOTE, her husband, residing in
Neshanic Station / Branchburg, Somerset County, State of New Jersey, by way of
Complaint against the Defendants, say:

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FIRST COUNT

1. At all times relevant herein, Defendant, HARVIA US, INC. was a corporation and/or other business entity organized under the laws of the State of Delaware and authorized to transact and conduct business in the State of New Jersey.
2. At all times relevant herein, Defendant, ALMOST HEAVEN SAUNAS, LLC and/or AHS, LLC was a corporation and/or other business entity organized under the laws of the State of Michigan and authorized to transact and conduct business in the State of New Jersey.
3. At all times relevant herein, Defendant, COSTCO WHOLESALE CORPORATION was a corporation and/or other business entity organized under the laws of the State of Washington and authorized to transact and conduct business in the State of New Jersey.
4. At all times relevant herein, Defendants, HARVIA US, INC., ALMOST HEAVEN SAUNAS, LLC, AHS, LLC, COSTCO WHOLESALE CORPORATION, and/or JOHN DOES 1-5 (fictitious names representing as yet unidentified individuals), and/or ABC CORP. 1-5 (fictitious names representing as yet unidentified business entities), designed, manufactured, formulated, constructed, produced, created, assembled, packaged, labeled, installed, modified, maintained, repaired, distributed, sold, marketed, and/or otherwise placed in the stream / line of commerce a certain product identified or described herein as an Almost Heaven Barrel Sauna, which included a wall model heater and/or component parts thereto (hereinafter collectively "the subject Product"),

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which was purchased for private use by the Plaintiffs on or about April 10, 2015 from Defendant COSTCO WHOLESALE CORPORATION.

5. On or about September 8, 2019, Plaintiff, KIM VAN NOTE, was using, and/or operating, and/or exposed to, and/or otherwise came in contact with the subject Product in a reasonably foreseeable manner (i.e., Plaintiff was inside the Barrel Sauna and had just turned on the wall model heater), when the subject Product (more specifically, the wall model heater and/or component parts thereto) malfunctioned and caused a very loud acoustic explosion.

6. The subject Product (including one or more of its component parts), as designed, manufactured, formulated, constructed, produced, created, assembled, packaged, labeled, installed, modified, maintained, repaired, distributed, sold, marketed, and/or otherwise placed in the stream / line of commerce by the Defendants, HARVIA US, INC., ALMOST HEAVEN SAUNAS, LLC, AHS, LLC, COSTCO WHOLESALE CORPORATION and/or JOHN DOES 1-5 (fictitious names representing as yet unidentified individuals), and/or ABC CORP. 1-5 (fictitious names representing as yet unidentified business entities), was defective and/or unreasonably dangerous in the condition in which it was placed into the stream / line of commerce.

7. As a direct and proximate result of the defective and dangerous condition of the subject Product, which caused the acoustic explosion / trauma, Plaintiff, KIM VAN NOTE, while using the subject Product in a reasonably foreseeable manner, sustained serious and permanent injuries, including progressive and chronic bilateral tinnitus with the perception of decreased hearing acuity.

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8. As a direct and proximate result of the defective and dangerous condition of the subject Product, Plaintiff, KIM VAN NOTE, suffered serious and permanent injuries amounting to a permanent disability with poor prognosis for recovery, was caused to endure pain and suffering that is likely to continue for the remainder of her life, was forced to incur significant medical expenses attributable to the above-described injuries, and was and in the future will be prevented from attending to her normal business.

9. Defendants, HARVIA US, INC., ALMOST HEAVEN SAUNAS, LLC, AHS, LLC, COSTCO WHOLESALE CORPORATION and/or JOHN DOES 1-5 (fictitious names representing as yet unidentified individuals), and/or ABC CORP. 1-5 (fictitious names representing as yet unidentified business entities), are liable to Plaintiff under the Doctrine of Strict Liability and/or the New Jersey Product Liability Act.

WHEREFORE, Plaintiff, KIM VAN NOTE, demands judgment against Defendants, HARVIA US, INC., ALMOST HEAVEN SAUNAS, LLC, AHS, LLC, COSTCO WHOLESALE CORPORATION and/or JOHN DOES 1-5 (fictitious names representing as yet unidentified individuals), and/or ABC CORP. 1-5 (fictitious names representing as yet unidentified business entities), either jointly, severally or in the alternative, awarding damages, interest, costs, and counsel fees associated with the suit on this Count.

SECOND COUNT

1. Plaintiff hereby repeats and re-alleges the allegations contained in the First Count of the Complaint as if set forth herein in their entirety.

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2. Defendants, HARVIA US, INC., ALMOST HEAVEN SAUNAS, LLC, AHS, LLC, COSTCO WHOLESALE CORPORATION and/or JOHN DOES 1-5 (fictitious names representing as yet unidentified individuals), and/or ABC CORP. 1-5 (fictitious names representing as yet unidentified business entities), are liable to Plaintiff under the Doctrines of Negligence, Breach of Warranty, and/or other Common Law Tort doctrines.

WHEREFORE, Plaintiff, KIM VAN NOTE, demands judgment against Defendants, HARVIA US, INC., ALMOST HEAVEN SAUNAS, LLC, AHS, LLC, COSTCO WHOLESALE CORPORATION and/or JOHN DOES 1-5 (fictitious names representing as yet unidentified individuals), and/or ABC CORP. 1-5 (fictitious names representing as yet unidentified business entities), either jointly, severally or in the alternative, awarding damages, interest, costs, and counsel fees associated with the suit on this Count.

THIRD COUNT

1. Plaintiffs repeat each and every allegation of the First and Second Counts of this Complaint and incorporate them herein by reference as if fully set forth at length.

2. Plaintiff, EUGENE VAN NOTE is the husband of Plaintiff, KIM VAN NOTE.

3. As a result of the aforementioned injuries suffered by Plaintiff, KIM VAN NOTE, Plaintiff, EUGENE VAN NOTE, has and will in the future suffer the loss of the usual services and consortium of his wife, and has been required to provide special services to KIM VAN NOTE.

WHEREFORE, Plaintiff, EUGENE VAN NOTE, demands judgment against Defendants, HARVIA US, INC., ALMOST HEAVEN SAUNAS, LLC, AHS, LLC,

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COSTCO WHOLESALE CORPORATION, and/or JOHN DOES 1-5 (fictitious names representing as yet unidentified individuals), and/or ABC CORP. 1-5 (fictitious names representing as yet unidentified business entities), either jointly, severally or in the alternative for damages, interest, attorneys fees and costs of suit.

JURY DEMAND

Plaintiffs demand a trial by jury on all issues so triable.

DEMAND FOR FORM C AND C(4) INTERROGATORIES

Pursuant to New Jersey Court Rules, Plaintiffs hereby demand that each named defendant serve timely and complete responses to Form C and Form C(4), in compliance with the applicable Court Rules.

DESIGNATION OF TRIAL COUNSEL

Please take notice that pursuant to Rule 4:25-4, Plaintiffs hereby designate ALEX LYUBARSKY, Esq. as trial counsel in the within matter.

WILENTZ, GOLDMAN & SPITZER
A Professional Corporation
Attorneys for Plaintiffs

By /S/ Alex Lyubarsky
ALEX LYUBARSKY

Dated: May 11, 2021

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CERTIFICATION

ALEX LYUBARSKY, ESQ., of full age, hereby certifies as follows:

1. I am an attorney at law of the State of New Jersey and a member of the firm of Wilentz, Goldman & Spitzer, P.A., attorneys for and on behalf of the plaintiffs in the within matter.

2. The matter involved here, as far as I know, is not presently the subject of any action pending in this or any other court, nor is it the subject of any pending arbitration proceeding or Workers Compensation petition.

3. I know of no party who should be joined in this action who has not already been joined.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: May 11, 2021

/S/ Alex Lyubarsky

ALEX LYUBARSKY

PLAINTIFFS' FIRST NOTICE TO PRODUCE

1. Identify and attach copies of any and all documents that you intend to offer as evidence at the trial of the above-captioned matter, including (but not limited to) any and all demonstrative evidence.
2. Identify and attach copies of any and all curriculum vitae of any and all proposed experts who will testify at trial on your behalf.
3. Identify and attach copies of any and all reports of any and all proposed experts who will testify at trial on your behalf.
4. Identify and attach copies of all statements in your possession of individuals with knowledge of the accident or occurrence.
5. Identify and attach copies of any and all statements from any and all individuals who witnessed the incident / accident at issue in this case.
6. Identify and attach copies of all statements of parties with knowledge in the possession of the Defendants. If said statements are on any type of non-written media, such as tape or computer disk, attach a transcription of same.
7. Identify and attach copies Attach copies of all documents pertaining to the design, manufacture, formulation, construction, production, creation, assembly, packaging, labeling, installation, modification, maintenance, repair, distribution, sale and/or marketing of the subject Product identified in Plaintiffs' Complaint and throughout the course of discovery.
8. Identify and attach copies Attach copies of all documents. Defendants intend to introduce or use in any way at the time of trial.

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9. Identify and attach copies of all documents Defendants intend to use in any way to question (on direct or cross examination) any witness during the course of discovery or at the time of trial.

10. Identify and attach copies of any and all photographs (in color, if available) and/or other visual recording(s) pertaining to the subject Product identified in Plaintiffs' Complaint and throughout the course of discovery and otherwise relevant to the subject matter of this action.

11. Identify and attach copies of all any and all photographs (in color, if available) and/or other visual recording(s) Defendants intend to use in any way to question (on direct or cross examination) any witness during the course of discovery or at the time of trial.

12. Identify and attach copies of any and all photographs (in color, if available) and/or other visual recording(s), if any, of Plaintiff and/or Plaintiff's medical condition.

13. Identify and attach copies of any and all photographs (in color, if available) and/or other visual recording(s), if any, of Plaintiff and/or Plaintiff's medical condition, created or generated by, on behalf of, and/or at the request of Defendant(s), at any time on or after the date of the subject accident.

14. Identify and attach copies of any and all medical records / reports in the possession of the Defendant(s) regarding Plaintiff and/or Plaintiff's medical condition(s). This request is all encompassing, including medical bills, medical reports, and/or any reports of examining physicians retained by the Defendant(s).

Please note that this First Notice to Produce is continuous in nature, and you are required to comply with same any time you come in possession of documents responsive to this demand.

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DEMAND FOR DISCOVERY OF INSURANCE INFORMATION

Pursuant to R. 4:10-2(b) demand is hereby made that you disclose to the undersigned whether there are any insurance agreements or policies under which any person or firm carrying an insurance business may be liable to satisfy part or all of a judgment which may be entered in this action or to indemnify or reimburse for payments made to satisfy the judgment.

YES ()

NO ()

If the answer is "yes" attach a copy of each or in the alternative state, under oath or certification (a) number (b) name and address of insurer or issuer (c) inception and expiration dates (d) names and addresses of all persons insured thereunder (e) personal injury limits (f) property damage limits (g) medical payment limits (h) name and address of person who has custody and possession thereof (i) where and when each policy or agreement can be inspected and copied.

WILENTZ, GOLDMAN & SPITZER, P.A.
Attorneys for Plaintiff(s)

BY: /S/ Alex Lyubarsky
ALEX LYUBARSKY, ESQ.

Dated: May 11, 2021

Civil Case Information Statement

Case Details: SOMERSET | Civil Part Docket# L-000676-21

Case Caption: VAN NOTE KIM VS HARVIA US INC.

Case Initiation Date: 05/12/2021

Attorney Name: ALEX LYUBARSKY

Firm Name: WILENTZ GOLDMAN & SPITZER

Address: 90 WOODBRIDGE CENTER DR STE 900 PO
BOX 10

WOODBIDGE NJ 070950958

Phone: 7326368000

Name of Party: PLAINTIFF : VAN NOTE, KIM

Name of Defendant's Primary Insurance Company
(if known): Unknown

Case Type: PRODUCT LIABILITY

Document Type: Complaint with Jury Demand

Jury Demand: YES - 6 JURORS

Is this a professional malpractice case? NO

Related cases pending: NO

If yes, list docket numbers:

Do you anticipate adding any parties (arising out of same
transaction or occurrence)? NO

Are sexual abuse claims alleged by: KIM VAN NOTE? NO

Are sexual abuse claims alleged by: EUGENE VAN NOTE? NO

THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE

CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

Do parties have a current, past, or recurrent relationship? NO

If yes, is that relationship:

Does the statute governing this case provide for payment of fees by the losing party? NO

Use this space to alert the court to any special case characteristics that may warrant individual
management or accelerated disposition:

Do you or your client need any disability accommodations? NO

If yes, please identify the requested accommodation:

Will an interpreter be needed? NO

If yes, for what language:

Please check off each applicable category: Putative Class Action? NO Title 59? NO Consumer Fraud? NO

I certify that confidential personal identifiers have been redacted from documents now submitted to the
court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b)

05/12/2021
Dated

/s/ ALEX LYUBARSKY
Signed

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NJ SUPERIOR COURT LAWYER REFERRAL AND LEGAL SERVICE LIST**ATLANTIC COUNTY:**

Deputy Clerk, Superior Court
Civil Division, Direct Filing
1201 Bacharach Blvd., 1st Fl.
Atlantic City, NJ 08401
LAWYER REFERRAL
(609) 345-3444
LEGAL SERVICES
(609) 348-4200

ESSEX COUNTY:

Deputy Clerk, Superior Court
Civil Customer Service
Hall of Records, Room 201
465 Dr. Martin Luther King Jr.
Blvd.
Newark, NJ 07102
LAWYER REFERRAL
(973) 622-6204
LEGAL SERVICES
(973) 624-4500

MONMOUTH COUNTY:

Deputy Clerk, Superior Court
Court House
P. O. Box 1269
Freehold, NJ 07728-1269
LAWYER REFERRAL
(732) 431-5544
LEGAL SERVICES
(732) 866-0020

SUSSEX COUNTY:

Deputy Clerk, Superior
Court
Sussex County Judicial
Center
43-47 High Street
Newton, NJ 07860
LAWYER REFERRAL
(973) 267-5882
LEGAL SERVICES
(973) 383-7400

BERGEN COUNTY:

Deputy Clerk, Superior Court
Civil Division, Room 115
Justice Center, 10 Main St.
Hackensack, NJ 07601
LAWYER REFERRAL
(201) 488-0044
LEGAL SERVICES
(201) 487-2166

GLOUCESTER COUNTY:

Deputy Clerk, Superior Court
Civil Case Management Office,
Attn: Intake, First Fl., Court
House
1 North Broad Street
Woodbury, NJ 08096
LAWYER REFERRAL
(856) 848-4589
LEGAL SERVICES
(856) 848-5360

MORRIS COUNTY:

Morris County Courthouse
Civil Division
Washington & Court Streets
P. O. Box 910
Morristown, NJ 07963-0910
LAWYER REFERRAL
(973) 267-5882
LEGAL SERVICES
(973) 285-6911

UNION COUNTY:

Deputy Clerk, Superior
Court
1st Floor, Court House
2 Broad Street
Elizabeth, NJ 07207-
6073
LAWYER REFERRAL
(908) 353-4715
LEGAL SERVICES
(908) 354-4340

BURLINGTON COUNTY:

Deputy Clerk, Superior Court
Central Processing Office
Attn: Judicial Intake
First Fl., Courts Facility
49 Rancocas Road
Mt. Holly, NJ 08060
LAWYER REFERRAL
(609) 261-4862
LEGAL SERVICES
(609) 261-1088

HUDSON COUNTY:

Deputy Clerk, Superior Court
Civil Records Dept.
Brennan Court House, 1st Floor
583 Newark Avenue
Jersey City, NJ 07306
LAWYER REFERRAL
(201) 798-2727
LEGAL SERVICES
(201) 792-6363

OCEAN COUNTY:

Deputy Clerk, Superior Court
Court House, Room 121
118 Washington Street
P.O. Box 2191
Toms River, NJ 08754-2191
LAWYER REFERRAL
(732) 240-3666
LEGAL SERVICES
(732) 341-2727

WARREN COUNTY:

Deputy Clerk, Superior
Court
Civil Division, Court
House
413 Second Street
Belvidere, NJ 07823-
1500
LAWYER REFERRAL
(908) 859-4300
LEGAL SERVICES
(908) 475-2010

CAMDEN COUNTY:

Deputy Clerk, Superior Court
Civil Processing Office
Hall of Justice
1st Fl, Suite 150
101 South 5th Street
Camden, NJ 08103
LAWYER REFERRAL
(856) 482-0618
LEGAL SERVICES
(856) 964-2010

HUNTERDON COUNTY:

Deputy Clerk, Superior Court
Civil Division
65 Park Avenue
Flemington, NJ 08822
LAWYER REFERRAL
(908) 236-6109
LEGAL SERVICES
(908) 782-7979

PASSAIC COUNTY:

Deputy Clerk, Superior Court
Civil Division - Court House
77 Hamilton Street
Paterson, NJ 07505
LAWYER REFERRAL
(973) 278-9223
LEGAL SERVICES
(973) 523-2900

CAPE MAY COUNTY:

Deputy Clerk, Superior Court
9 N. Main Street
Cape May Court House, NJ
08210
LAWYER REFERRAL
(609) 463-0313
LEGAL SERVICES
(609) 465-3001

MERCER COUNTY:

Deputy Clerk, Superior Court
Local Filing Office, Courthouse
175 S. Broad Street
P. O. Box 8068
Trenton, NJ 08650
LAWYER REFERRAL
(609) 585-6200
LEGAL SERVICES
(609) 695-6249

SALEM COUNTY:

Deputy Clerk, Superior Court
Attn: Civil Case Management
Office
92 Market Street
Salem, NJ 08079
LAWYER REFERRAL
(856) 935-5629
LEGAL SERVICES
(856) 691-0494

CUMBERLAND COUNTY:

Deputy Clerk, Superior Court
Civil Case Management Office
60 West Broad Street
P. O. Box 10
Bridgeton, NJ 08302
LAWYER REFERRAL
(856) 696-5550
LEGAL SERVICES
(856) 691-0494

MIDDLESEX COUNTY:

Deputy Clerk, Superior Court
Middlesex Vicinage
Second Floor, Tower
56 Paterson Street
P. O. Box 2633
New Brunswick, NJ 08903-2633
LAWYER REFERRAL
(732) 828-0053
LEGAL SERVICES
(732) 249-7600

SOMERSET COUNTY:

Deputy Clerk, Superior Court
Civil Division Office
40 North Bridge Street
P. O. Box 3000
Somerville, NJ 08876
LAWYER REFERRAL
(908) 685-2323
LEGAL SERVICES
(908) 231-0840